



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUL 21 2005

Mr. Randal Sellers
CENWO-PM-AE
U.S. Army Corps of Engineers, Omaha District
106 South 15th Street
Omaha, Nebraska 68102-1618

Dear Mr. Sellers:

RE: Review of Final Environmental Impact Statement (FEIS) for proposed
land disposal at the former Cornhusker Army Ammunition Plant
(CHAAP)

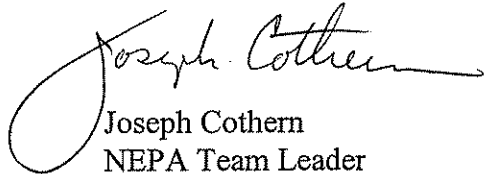
In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the Environmental Protection Agency (EPA) has reviewed the above referenced FEIS. EPA rated the Draft EIS (DEIS) as "LO" (Lack of Objections), and offered several suggestions that would improve public understanding of environmental impacts and regulatory obligations related to this land transfer. EPA appreciates incorporation and consideration of our comments within the FEIS.

EPA would like to point out, that while the NEPA process is nearly complete, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process continues on its own pathway and timeline. This difference is important to note, in that, while the NEPA process analyzed the environmental consequences of reasonably expected future use scenarios, the near-term investigations being conducted under CERCLA may discover additional contaminants needing to be addressed before other uses can be implemented. For example, in June, 2005, it came to our attention that asbestos contamination was recently discovered on certain land tracts to be transferred under this action. Because the full extent of the contamination is not currently known, the significance of this contamination relative to the proposed action has not been determined. This potentially significant issue has not been a subject of the NEPA process. EPA acknowledges that these parcels are continuing to be evaluated under an ongoing Remedial Investigation/Feasibility Study (RI/FS), and notes that through this process that other contaminants may ultimately be discovered. Given the incomplete nature of site characterization at the CHAAP, EPA recommends that the NEPA Record of Decision (ROD), and any forthcoming land conveyance instruments contain narrative on

how compliance with Section 120(h) of the Comprehensive (CERCLA) will be achieved. EPA's Superfund Division has informed us that the U.S. Army Corps of Engineers is continuing to work on insuring proper identification and cleanup of contamination through the Installation Restoration Program.

Thank you for the opportunity to review this documentation. Questions should be directed to Stephen K. Smith at (913) 551-7656.

Sincerely,

A handwritten signature in cursive script, reading "Joseph Cothorn". The signature is written in dark ink and is positioned above the printed name and title.

Joseph Cothorn
NEPA Team Leader
Environmental Services Division